

09/701395  
525 Rec'd PCT/PTO 04 DEC 2000

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HAND CARRY TO PCT  
ATTN: RO/US

CUNNINGHAM, et al.

Atty. Docket No. 108172-00022

Serial Number: Not Yet Assigned

-§371 of International Patent Appln. No. PCT/US99/12121, filed June 2, 1999

Filed: December 4, 2000

For: Genes of Carotenoid Biosynthesis and Metabolism and Methods of Use  
Thereof

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

December 4, 2000

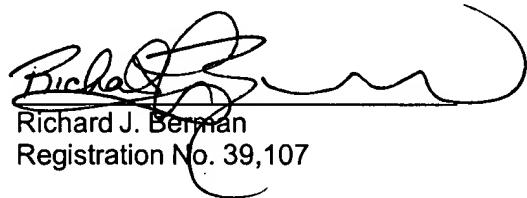
Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

- c. A check in the amount of \$240.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- 4. Enclosed is a copy of the International Search Report in the corresponding international application. The relevance of the references is noted in the International Search Report. We understand that the references have been forwarded by the International Bureau, and are available to the Examiner, but if the Examiner needs copies of any of the references, the Examiner is requested to advise counsel accordingly.

Respectfully submitted,



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FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 108172-00022	SERIAL NO. Not yet assigned
LIST OF REFERENCES CITED BY APPLICANT  (Use several sheets if necessary)		APPLICANT CUNNINGHAM ET AL.			
		FILING DATE HEREWITH	GROUP		

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO PART.
	AG	WO 97/36998	10/1997	WO			
	AH						
	AI						
	AJ						
	AK						
	AL						

**OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)**

	AM	
	AN	
	AO	

EXAMINER	DATE CONSIDERED
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.